PTO/SB/21 (01-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/616,359 **TRANSMITTAL** Filing Date July 9, 2003 **FORM** First Named Inventor Bizzarro Art Unit (to be used for all correspondence after initial filing) 1626 **Examiner Name** Lambkin, Deborah C. Attorney Docket Number 20400 US6 Total Number of Pages in This Submission

| ENCLOSURES (Check all that apply)  |  |   |  |  |  |  |  |  |  |  |
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|  | Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority  Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts under 37 CFR 1.52 or 1.53 | Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s)  References (2); and Statement under 37 CFR Section 1.97(e).  After Allowance Communication to Group (Appeal Communication to Group (Appeal S and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below): |  |  |  |  |  |  |  |  |
| -  | SIGNA  | I<br>TURE OF APPLICANT, ATTORNEY, OR AGENT  |  |  |  |  |  |  |  |  |
| Firm or Individual Signature Samuel H. Megerditchian   |  | figuatiher  |  |  |  |  |  |  |  |  |
| Date February 14, 2005   |  |   |  |  |  |  |  |  |  |  |
| CERTIFICATE OF TRANSMISSION/MAILING  |  |   |  |  |  |  |  |  |  |  |
| I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date February 14, 2005 |  |   |  |  |  |  |  |  |  |  |
| Typed or printed Samuel H. Megerditchian   |  |   |  |  |  |  |  |  |  |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

February 14, 2005

Date

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Fred Thomas Bizzarro, et. al.

Group: 1626

Serial No. 10/616,359, filed July 9, 2003

Examiner: Lambkin, Deborah C.

Docket No. 20400 US6

For: HETEROAROMATIC GLUCOKINASE ACTIVATORS

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Nutley, New Jersey 07110 February 14, 2005

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents A4-A8 and B5-B6 are listed on Form PTO-1449.

Enclosed is an Office Action dated November 16, 2004, issued by the Canadian Patent Office in Patent Application Serial No. 2,368,347, corresponding to the captioned application. The Office Action lists Documents A1-A7, B1-B6 and C1-C5. Documents A1-A3, B1-B4, C1-C5 are not being submitted because each document has been made of record in the parent application, Serial No. 09/675,781, filed September 28, 2000 as indicated in the Supplemental Information Disclosure Statement sent to the USPTO on October 2, 2003.

02/18/2005 YP0LITE1:00000022 082525 10616359

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Serial No. 10/616,359 Filed: July 9, 2003

S. 15.42

Document B6, which is not written in the English language, corresponds to Document A8. Document A8 is not being submitted because it is a US Patent.

Consideration of all the documents cited on Form PTO-1449 is requested.

Since the Information Disclosure Statement is submitted after a Final Action or Notice of Allowance, Applicants petition that the Information Disclosure Statement be considered. Submitted is a Fee Sheet and a certificate under 37 C.F.R. § 1.97(e).

Respectfully submitted,

Attorney for Applicant(s)
Samuel H. Megerditchian

(Reg. No. 45,678) 340 Kingsland Street

Nutley, New Jersey 07110 Telephone: (973) 235-4391

Telefax: (973) 235-2363

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#### PATENT APPLICATION



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

atent Application

Fred Thomas Bizzarro, et. al.

Group: 1626

Serial No. 10/616,359, filed July 9, 2003

Examiner: Lambkin, Deborah C

Docket No. 20400 US6

For: HETEROAROMATIC GLUCOKINASE ACTIVATORS

# STATEMENT UNDER 37 CFR §1.97(e)

Nutley, New Jersey 07110 February 14, 2005

Mail Stop: Amendments Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I hereby certify:

- That each item of information contained in the enclosed information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this information disclosure statement.
- That <u>no</u> item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

Attorney for Applicant(s) Samuel H. Megerditchian

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Nutley, NJ 07110

Telephone: (973) 235-4391 Telefax: (973) 235-2363

#### PATENT APPLICATION



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application

Bizzarro, et. al.

Hoffmann-La Roche Inc. 340 Kingsland Street Nutley, NJ 07110 February 14, 2005

Serial No.: 10/616,359, filed July 9, 2003

Docket No. 20400 US6

For: HETEROAROMATIC GLUCOKINASE ACTIVATORS

## REQUEST TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** in the above-identified application.

- $\underline{X}$  Please charge my Deposit Account No. 08-2525 in the amount of  $\underline{\$180.00}$  which is the fee in connection with the filing of the enclosed paper.
- The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2525.
- $\underline{X}$  This sheet is provided in duplicate.

DEPOSIT ACCOUNT NO. 08-2525

OUR ORDER NO. <u>5969</u>

Attorney of Record

Samuel H. Megerditchian

(Reg. No. 45,678)

Telephone: (973) 235-4391 Telefax: (973) 235-2363

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| Substitute for form 1449A/PTO     |  |  |                               |                        | Complete if Known         |                |                      |  |  |
|-----------------------------------|--|--|-------------------------------|------------------------|---------------------------|----------------|----------------------|--|--|
| INFORMATION DISCLOSURE            |  |  |                               |                        | Application Number 10/616 |                |                      |  |  |
| STATEMENT BY APPLICANT            |  |  |                               |                        | Filing Date               | July 9, 2003   |                      |  |  |
|                                   |  |  |                               |                        | First Name Inventor       | Bizzaro        | Bizzaro              |  |  |
| (Use several sheets if necessary) |  |  |                               |                        | Group Art Unit            | 1626           |                      |  |  |
|                                   |  |  |                               |                        | Examiner Name Lambkin, I  |                | n, Deborah C.        |  |  |
| Sheet 1 of 1                      |  |  | Attorney Docket Number 200400 |                        | 0 US6                     |                |                      |  |  |
|                                   |  |  |                               | U.S. PAT               | ENT DOCUMENTS             |                |                      |  |  |
|                                   | 1  | U.S. Patent Document                             |                               |                        |                           |                |                      |  |  |
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| Initials'                         | No.1   |  |                               | (if known)             | Cited Document            |                | Cited document       |  |  |
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| Foreign Patent Document           |  |  |                               | ent                    | · ·                       |                | te of Publication of | Τ <sup>ε</sup>                                   |  |
| Examiner                          |  | Office <sup>3</sup> Number <sup>4</sup> Kind Cod |                               | Kind Cod               | Name of Patentee or       |                | Cited Document       |  |  |
| Initials'                         | No.1   | Office   | Number                        | (if known)             | Applicant of Cited Docum  | ent MM-DD-YYYY |                      |  |  |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this

The Administration of the patient of the reign of the Emperor must precede the serial number of the patent document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation or abstract is attached.